

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

WILLIAM C. BRANNAN,

Plaintiff/Counter-Defendant,

v.

Case No. 2:11-cv-12748

BETTER WORLD MATERIALS, INC.,

Defendant/Counter-Plaintiff.

---

**ORDER DISMISSING CASE WITHOUT PREJUDICE, TERMINATING AS MOOT  
PLAINTIFF'S "MOTION TO STAY PROCEEDINGS FOR 90 DAYS AND MODIFY  
SCHEDULING ORDER," AND REQUIRING MONTHLY STATUS REPORTS**

On November 16, 2011, Plaintiff filed a motion to stay this action for ninety days and to modify the scheduling order, indicating that Plaintiff has suffered a severe relapse of Multiple Sclerosis that prevents him from effectively participating in the prosecution and defense of this suit. Defendant filed a response on November 18, 2011, confirming that it concurred in the relief requested in Plaintiff's motion. The court discussed the matter with the parties in a telephone conference on November 18, 2011, and the parties consented to dismiss this case without prejudice until such time as Plaintiff's health allows him to proceed. Accordingly, and as agreed by the parties,

**IT IS ORDERED** that this case is DISMISSED without prejudice. **Nothing in this order shall be deemed to adversely affect or in any way impact the parties' rights.** Any party may reopen this case by filing a "Notice of Reopening." If such a notice is filed, the case will immediately be placed back on the court's active docket with no further costs or fees to either party, and the litigation will proceed as if the case had not been dismissed.

**IT IS FURTHER ORDERED** that, in light of this resolution, Plaintiff's "Motion to

Stay Proceedings for 90 Days and Modify Scheduling Order" (Dkt. # 17) is TERMINATED AS MOOT.

IT IS FURTHER ORDERED that Plaintiff's counsel shall file with the court brief, monthly reports on the state of Plaintiff's health. These reports shall be filed on the first business day of every month, beginning on **January 3, 2012**.

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: November 21, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 21, 2011, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522